

1 HONORABLE RONALD B. LEIGHTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ISAAC DEPRE FRAZIER JR,

Plaintiff,

v.

SCOTT A COLLIER, et al,

Defendant.

CASE NO. C19-5752-RBL-TLF

ORDER ADOPTING REPORT AND
RECOMMENDATION

THIS MATTER is before the Court on Magistrate Judge Fricke's Report and Recommendation [Dkt. # 1-1, 3], recommending that the Court dismiss plaintiff's complaint pursuant to 28 U.S.C. §1915A and to strike plaintiff's motion to proceed in forma pauperis (Dkt. 1) as moot.

- (1) The Court adopts the Report and Recommendation;
- (2) plaintiff's complaint (Dkt. 1-1, 3) is DISMISSED without prejudice;
- (3) plaintiff's motion to proceed in forma pauperis (Dkt.1) is STRICKEN as moot;
- (4) The Clerk is directed to send plaintiff the appropriate forms for filing a 28 U.S.C. §2241 or §2254 habeas petition.

(5) The Clerk is further directed to send copies of this Order to plaintiff, to Magistrate Judge Fricke, and to any other party that has appeared in this action.

IT IS SO ORDERED.

Dated this 12th day of November, 2019.

Ronald B. Lightner

Ronald B. Leighton
United States District Judge